

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Francis J. Cehelsky
aka Frank Cehelsky
Lorraine A. Cehelsky
aka Lorraine A. Slutiak-Cehelsky
Debtor(s)

Bankruptcy Case No.: 15-24323-CMB
Per January 21, 2021 Proceeding
Chapter: 13
Docket No.: 107 – 98, 103, 104
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated November 2, 2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$5,607.00 as of February, 2021. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to it's administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: PNC Bank (Cl. #9) with payment changes implemented .
- ☒ H. Additional Terms: Fee application needed if any fee (including retainer) exceeds \$4,000 including any fees paid to prior counsel.

First Commonwealth Bank (Cl. #17-2) to be paid per Order of December 5, 2017 at Doc. No. 88.

No further payments to JPMorgan Chase (Cl. #8) as collateral was surrendered, but prior

payments are ratified and proper.

LMP fees are stricken from the Plan.

Trustee's Certificate of Default is resolved by this Confirmation Order.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

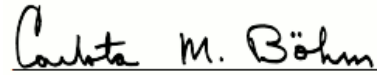
B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm, Judge
United States Bankruptcy Court

Dated: January 25, 2021

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:
Francis J. Cehelsky
Lorraine A. Cehelsky
Debtors

Case No. 15-24323-CMB
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dric

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Date Rcvd: Jan 25, 2021

Form ID: 149

Total Noticed: 38

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 27, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ Francis J. Cehelsky, Lorraine A. Cehelsky, 5 Wellington Court, Mc Kees Rocks, PA 15136-1377
cr	+ First Commonwealth Bank, successor by merger to Pi, McGrath McCall, P.C., Four Gateway Center, Suite 1040, 444 Liberty Avenue Pittsburgh, PA 15222-1225
cr	++ JPMORGAN CHASE BANK N A, BANKRUPTCY MAIL INTAKE TEAM, 700 KANSAS LANE FLOOR 01, MONROE LA 71203-4774 address filed with court:, JPMorgan Chase Bank N.A., 201 N Central Ave, AZ1-1191, Phoenix, AZ 85004
cr	+ Peoples Natural Gas Company, LLC, Attn: Dawn Lindner, 225 North Shore Drive, Pittsburgh, PA 15212-5860
14162161	AMERICAN EXPRESS CENTURION BANK, C/O BECKET AND LEE LLP, POB 3001, MALVERN, PA 19355-0701
14143668	+ AMX, c/o Becket & Lee, PO Box 3001, 16 General Warrent Blvd., Malvern, PA 19355-1245
14143669	++ BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238 address filed with court:, Bank of America, PO Box 982235, El Paso, TX 79998-2235
14150120	+ Bank of America, N.A., P O Box 982284, El Paso, TX 79998-2284
14143674	+ CitiBank, PO Box 6500, Sioux Falls, SD 57117-6500
14143675	Discover, Golden Valley Club Drive, Minneapolis, MN 55427
14143676	+ Discover Bank, 6681 Country Blub Drive, Minneapolis, MN 55427-4601
14204522	ECAST SETTLEMENT CORPORATION, PO BOX 29262, NEW YORK, NY 10087-9262
14390883	+ First Commonwealth Bank, c/o McGrath McCall, P.C., Four Gateway Center, Suite 1040, 444 Liberty Avenue, Pittsburgh, PA 15222-1225
14143681	Kohl's, Customer Service & Operation Center, N54 W13600, Menomonee Falls, WI 53051
14362188	+ SANTANDER CONSUMER USA, INC., P.O. BOX 560284, DALLAS, TX 75356-0284

TOTAL: 15

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: acg.acg.ebn@americaninfosource.com	Jan 26 2021 03:27:03	BMW Financial Services NA, LLC, C/O AIS Portfolio Services LP, 4515 N Santa Fe Ave, Dept. APS, Oklahoma City, OK 73118-7901
cr	+ Email/Text: bankruptcynotice@fcbanking.com	Jan 26 2021 04:42:00	First Commonwealth Bank, P. O. Box 400, 654 Philadelphia Street, Indiana, PA 15701-3930
cr	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Jan 26 2021 03:20:32	PRA Receivables Management LLC, POB 41067, Norfolk, VA 23541-1067
cr	Email/PDF: rmscedi@recoverycorp.com	Jan 26 2021 03:27:10	Recovery Management Systems Corporation, 25 S.E. Second Avenue, Suite 1120, Miami, FL 33131-1605
14162123	+ Email/PDF: acg.acg.ebn@americaninfosource.com	Jan 26 2021 03:27:02	BMW Financial Services NA, LLC, 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
14143671	Email/PDF: gecscdi@recoverycorp.com	Jan 26 2021 03:12:34	BP / Synchrony Bank, PO Box 965060, Orlando, FL 32896-5060
14333180	+ Email/PDF: acg.acg.ebn@americaninfosource.com	Jan 26 2021 03:27:02	Capital One Auto Finance,, a division of Capital One N.A., Ascension Capital Group, P.O. Box 165028, Irving, TX 75016-5028
14148077	Email/Text: mrdiscen@discover.com		

District/off: 0315-2

User: dric

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Date Rcvd: Jan 25, 2021

Form ID: 149

Total Noticed: 38

		Jan 26 2021 04:41:00	Discover Bank, Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
14211519	+ Email/Text: kborkley@bernsteinlaw.com	Jan 26 2021 04:43:00	Duquesne Light Company, c/o Peter J. Ashcroft,, Bernstein-Borkley, P.C., 707 Grant St., Suite 2200, Gulf Tower,, Pittsburgh, PA 15219-1945
14143678	Email/Text: bankruptcynotice@fcbanking.com	Jan 26 2021 04:42:00	First Commonwealth Bank, PO Box 400, Indiana, PA 15701-0400
14143680	Email/PDF: ais.chase.ebn@americaninfosource.com	Jan 26 2021 03:26:59	Home Depot, c/o Chase Card Services, PO Box 15298, Wilmington, DE 19850-5298
14143672	Email/PDF: ais.chase.ebn@americaninfosource.com	Jan 26 2021 03:20:17	Chase, PO Box 15298, Wilmington, DE 19850-5298
14143673	Email/PDF: ais.chase.ebn@americaninfosource.com	Jan 26 2021 03:12:36	Chase/Amazon, PO Box 15298, Wilmington, DE 19850-5298
14208239	Email/Text: bk.notifications@jpmchase.com	Jan 26 2021 04:42:00	JPMorgan Chase Bank, N.A., National Bankruptcy Department, P.O. Box 29505 AZ1-1191, Phoenix, AZ 85038-9505
14143682	+ Email/PDF: gecsed@recoverycorp.com	Jan 26 2021 03:20:11	Lowe's/Synchrony Bank, PO Box 965004, Orlando, FL 32896-5004
14209458	Email/Text: Bankruptcy.Notices@pnc.com	Jan 26 2021 04:41:00	PNC BANK N.A., PO BOX 94982, CLEVELAND, OH 44101
14207776	Email/Text: Bankruptcy.Notices@pnc.com	Jan 26 2021 04:41:00	PNC BANK, N.A., PO BOX 94982, CLEVELAND, OHIO 44101
14143686	Email/Text: Bankruptcy.Notices@pnc.com	Jan 26 2021 04:41:00	PNC Bank, 2730 Liberty Avenue, Pittsburgh, PA 15222-4746
14143684	Email/Text: Bankruptcy.Notices@pnc.com	Jan 26 2021 04:41:00	PNC Bank, 6750 Miller Road, Brecksville, OH 44141
14211459	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Jan 26 2021 03:12:55	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
14633177	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Jan 26 2021 03:20:32	Portfolio Recovery Associates, LLC, POB 41067, Norfolk, VA 23541
14144571	Email/PDF: rmsced@recoverycorp.com	Jan 26 2021 03:27:11	Recovery Management Systems Corporation, 25 S.E. 2nd Avenue, Suite 1120, Miami, FL 33131-1605
14211063	Email/PDF: gecsed@recoverycorp.com	Jan 26 2021 03:12:33	Synchrony Bank, c/o Recovery Management Systems Corp, 25 SE 2nd Ave Suite 1120, Miami FL 33131-1605

TOTAL: 23

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Duquesne Light Company
cr		Financial Services Vehicle Trust
cr		JPMORGAN CHASE BANK, N.A.
14143670		BMW Finance
14143683		Mazda Finance
cr	*P++	PNC BANK RETAIL LENDING, P O BOX 94982, CLEVELAND OH 44101-4982, address filed with court:, PNC Bank, N.A., P.O. Box 94982, Cleveland, OH 44101-5570
14143677	*+	Discover Bank, 6681 Country Blub Drive, Minneapolis, MN 55427-4601
14143679	*P++	FIRST COMMONWEALTH BANK, PO BOX 400, INDIANA PA 15701-0400, address filed with court:, First Commonwealth Bank, PO Box 400, Indiana, PA 15701-0400
14143685	*P++	PNC BANK RETAIL LENDING, P O BOX 94982, CLEVELAND OH 44101-4982, address filed with court:, PNC Bank, 6750 Miller Road, Brecksville, OH 44141

TOTAL: 5 Undeliverable, 4 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 27, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 25, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor JPMORGAN CHASE BANK N.A. bnicholas@kmlawgroup.com
Gary W. Darr	on behalf of Creditor First Commonwealth Bank gdarr@lenderlaw.com
Gary W. Darr	on behalf of Creditor First Commonwealth Bank successor by merger to Pittsburgh Home Savings Bank gdarr@lenderlaw.com
Justin L. McCall	on behalf of Creditor First Commonwealth Bank successor by merger to Pittsburgh Home Savings Bank jmccall@lenderlaw.com, justin-mccall@comcast.net
Kenneth Steidl	on behalf of Debtor Francis J. Cehelsky julie.steidl@steidl-steinberg.com ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;todd@steidl-steinberg.com;cgoga@steidl-steinberg.com;rlager@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com
Kenneth Steidl	on behalf of Joint Debtor Lorraine A. Cehelsky julie.steidl@steidl-steinberg.com ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;todd@steidl-steinberg.com;cgoga@steidl-steinberg.com;rlager@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com
Martin A. Mooney	on behalf of Creditor Financial Services Vehicle Trust kcollins@schillerknapp.com lgadomski@schillerknapp.com
Martin A. Mooney	on behalf of Creditor BMW Financial Services NA LLC kcollins@schillerknapp.com, lgadomski@schillerknapp.com
Office of the United States Trustee	ustpreion03.pi.ecf@usdoj.gov
Peter J. Ashcroft	on behalf of Creditor Duquesne Light Company pashcroft@bernsteinlaw.com ckutch@ecf.courtdrive.com;acarr@bernsteinlaw.com
Ronda J. Winnecour	cmecf@chapter13trusteewdpa.com
S. James Wallace	on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com, Equitablebankruptcy@peoples-gas.com
William E. Craig	on behalf of Creditor JPMorgan Chase Bank N.A. ecfmail@mortoncraig.com mhazlett@mortoncraig.com;mortoncraigecf@gmail.com

TOTAL: 13